

(ii) Performed solely for search, rescue, or related public safety purposes by or under the control of a governmental agency; or

(iii) Governed by 45 CFR part 46 (Protection of Human Subjects, U.S. Department of Health and Human Services) or equivalent rules or regulations established by another federal agency, which regulate research, development, or related purposes involving human subjects.

(iv) Defined as scientific diving and which is under the direction and control of a diving program containing at least the following elements:

(A) Diving safety manual which includes at a minimum: Procedures covering all diving operations specific to the program; procedures for emergency care, including recompression and evacuation; and criteria for diver training and certification.

(B) Diving control (safety) board, with the majority of its members being active divers, which shall at a minimum have the authority to: Approve and monitor diving projects; review and revise the diving safety manual; assure compliance with the manual; certify the depths to which a diver has been trained; take disciplinary action for unsafe practices; and, assure adherence to the buddy system (a diver is accompanied by and is in continuous contact with another diver in the water) for SCUBA diving.

(3) *Alternative requirements for recreational diving instructors and diving guides.* Employers of recreational diving instructors and diving guides are not required to comply with the decompression-chamber requirements specified by paragraphs (b)(2) and (c)(3)(iii) of §1910.423 and paragraph (b)(1) of §1910.426 when they meet all of the following conditions:

(i) The instructor or guide is engaging solely in recreational diving instruction or dive-guiding operations;

(ii) The instructor or guide is diving within the no-decompression limits in these operations;

(iii) The instructor or guide is using a nitrox breathing-gas mixture consisting of a high percentage of oxygen (more than 22% by volume) mixed with nitrogen;

(iv) The instructor or guide is using an open-circuit, semi-closed-circuit, or closed-circuit self-contained underwater breathing apparatus (SCUBA); and

(v) The employer of the instructor or guide is complying with all requirements of Appendix C of this subpart.

(b) *Application in emergencies.* An employer may deviate from the requirements of this standard to the extent necessary to prevent or minimize a situation which is likely to cause death, serious physical harm, or major environmental damage, provided that the employer:

(1) Notifies the Area Director, Occupational Safety and Health Administration within 48 hours of the onset of the emergency situation indicating the nature of the emergency and extent of the deviation from the prescribed regulations; and

(2) Upon request from the Area Director, submits such information in writing.

(c) *Employer obligation.* The employer shall be responsible for compliance with:

(1) All provisions of this standard of general applicability; and

(2) All requirements pertaining to specific diving modes to the extent diving operations in such modes are conducted.

[42 FR 37668, July 22, 1977, as amended at 47 FR 53365, Nov. 26, 1982; 58 FR 35310, June 30, 1993; 69 FR 7363, Feb. 17, 2004]

#### § 1910.402 Definitions.

As used in this standard, the listed terms are defined as follows:

*Acfm:* Actual cubic feet per minute.

*ASME Code or equivalent:* ASME (American Society of Mechanical Engineers) Boiler and Pressure Vessel Code, Section VIII, or an equivalent code which the employer can demonstrate to be equally effective.

*ATA:* Atmosphere absolute.

*Bell:* An enclosed compartment, pressurized (closed bell) or unpressurized (open bell), which allows the diver to be transported to and from the underwater work area and which may be used as a temporary refuge during diving operations.

*Bottom time:* The total elapsed time measured in minutes from the time

when the diver leaves the surface in descent to the time that the diver begins ascent.

*Bursting pressure:* The pressure at which a pressure containment device would fail structurally.

*Cylinder:* A pressure vessel for the storage of gases.

*Decompression chamber:* A pressure vessel for human occupancy such as a surface decompression chamber, closed bell, or deep diving system used to decompress divers and to treat decompression sickness.

*Decompression sickness:* A condition with a variety of symptoms which may result from gas or bubbles in the tissues of divers after pressure reduction.

*Decompression table:* A profile or set of profiles of depth-time relationships for ascent rates and breathing mixtures to be followed after a specific depth-time exposure or exposures.

*Dive-guiding operations* means leading groups of sports divers, who use an open-circuit, semi-closed-circuit, or closed-circuit self-contained underwater breathing apparatus, to local undersea diving locations for recreational purposes.

*Dive location:* A surface or vessel from which a diving operation is conducted.

*Dive-location reserve breathing gas:* A supply system of air or mixed-gas (as appropriate) at the dive location which is independent of the primary supply system and sufficient to support divers during the planned decompression.

*Dive team:* Divers and support employees involved in a diving operation, including the designated person-in-charge.

*Diver:* An employee working in water using underwater apparatus which supplies compressed breathing gas at the ambient pressure.

*Diver-carried reserve breathing gas:* A diver-carried supply of air or mixed gas (as appropriate) sufficient under standard operating conditions to allow the diver to reach the surface, or another source of breathing gas, or to be reached by a standby diver.

*Diving mode:* A type of diving requiring specific equipment, procedures and techniques (SCUBA, surface-supplied air, or mixed gas).

*Fsw:* Feet of seawater (or equivalent static pressure head).

*Heavy gear:* Diver-worn deep-sea dress including helmet, breastplate, dry suit, and weighted shoes.

*Hyperbaric conditions:* Pressure conditions in excess of surface pressure.

*Inwater stage:* A suspended underwater platform which supports a diver in the water.

*Liveboating:* The practice of supporting a surfaced-supplied air or mixed gas diver from a vessel which is underway.

*Mixed-gas diving:* A diving mode in which the diver is supplied in the water with a breathing gas other than air.

*No-decompression limits:* The depth-time limits of the "no-decompression limits and repetitive dive group designation table for no-decompression air dives", U.S. Navy Diving Manual or equivalent limits which the employer can demonstrate to be equally effective.

*Psi(g):* Pounds per square inch (gauge).

*Recreational diving instruction* means training diving students in the use of recreational diving procedures and the safe operation of diving equipment, including an open-circuit, semi-closed-circuit, or closed-circuit self-contained underwater breathing apparatus, during dives.

*Scientific diving* means diving performed solely as a necessary part of a scientific, research, or educational activity by employees whose sole purpose for diving is to perform scientific research tasks. Scientific diving does not include performing any tasks usually associated with commercial diving such as: Placing or removing heavy objects underwater; inspection of pipelines and similar objects; construction; demolition; cutting or welding; or the use of explosives.

*SCUBA diving:* A diving mode independent of surface supply in which the diver uses open circuit self-contained underwater breathing apparatus.

*Standby diver:* A diver at the dive location available to assist a diver in the water.

*Surface-supplied air diving:* A diving mode in which the diver in the water is supplied from the dive location with compressed air for breathing.

*Treatment table:* A depth-time and breathing gas profile designed to treat decompression sickness.

*Umbilical:* The composite hose bundle between a dive location and a diver or bell, or between a diver and a bell, which supplies the diver or bell with breathing gas, communications, power, or heat as appropriate to the diving mode or conditions, and includes a safety line between the diver and the dive location.

*Volume tank:* A pressure vessel connected to the outlet of a compressor and used as an air reservoir.

*Working pressure:* The maximum pressure to which a pressure containment device may be exposed under standard operating conditions.

[42 FR 37668, July 22, 1977, as amended at 47 FR 53365, Nov. 26, 1982; 69 FR 7363, Feb. 17, 2004]

#### PERSONNEL REQUIREMENTS

##### § 1910.410 Qualifications of dive team.

(a) *General.* (1) Each dive team member shall have the experience or training necessary to perform assigned tasks in a safe and healthful manner.

(2) Each dive team member shall have experience or training in the following:

(i) The use of tools, equipment and systems relevant to assigned tasks;

(ii) Techniques of the assigned diving mode; and

(iii) Diving operations and emergency procedures.

(3) All dive team members shall be trained in cardiopulmonary resuscitation and first aid (American Red Cross standard course or equivalent).

(4) Dive team members who are exposed to or control the exposure of others to hyperbaric conditions shall be trained in diving-related physics and physiology.

(b) *Assignments.* (1) Each dive team member shall be assigned tasks in accordance with the employee's experience or training, except that limited additional tasks may be assigned to an employee undergoing training provided that these tasks are performed under the direct supervision of an experienced dive team member.

(2) The employer shall not require a dive team member to be exposed to

hyperbaric conditions against the employee's will, except when necessary to complete decompression or treatment procedures.

(3) The employer shall not permit a dive team member to dive or be otherwise exposed to hyperbaric conditions for the duration of any temporary physical impairment or condition which is known to the employer and is likely to affect adversely the safety or health of a dive team member.

(c) *Designated person-in-charge.* (1) The employer or an employee designated by the employer shall be at the dive location in charge of all aspects of the diving operation affecting the safety and health of dive team members.

(2) The designated person-in-charge shall have experience and training in the conduct of the assigned diving operation.

#### GENERAL OPERATIONS PROCEDURES

##### § 1910.420 Safe practices manual.

(a) *General.* The employer shall develop and maintain a safe practices manual which shall be made available at the dive location to each dive team member.

(b) *Contents.* (1) The safe practices manual shall contain a copy of this standard and the employer's policies for implementing the requirements of this standard.

(2) For each diving mode engaged in, the safe practices manual shall include:

(i) Safety procedures and checklists for diving operations;

(ii) Assignments and responsibilities of the dive team members;

(iii) Equipment procedures and checklists; and

(iv) Emergency procedures for fire, equipment failure, adverse environmental conditions, and medical illness and injury.

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##### § 1910.421 Pre-dive procedures.

(a) *General.* The employer shall comply with the following requirements prior to each diving operation, unless otherwise specified.